

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on 25th May 2005.

PRESENT

Councillors. S. Thomas (Chair), J.R. Bartley, R.E. Barton, J. Butterfield, J. Chamberlain-Jones, J.M. Davies, M.LI. Davies, , S.A. Davies , G.C. Evans, H.H. Evans S. Frobisher, I.M. German, M.A. German, D. Hannam, K.N. Hawkins, T.K. Hodgson, T.R. Hughes, E.R. Jones, H. Jones, G.M. Kensler, P.W. Owen, N.P. Roberts, J. Thompson-Hill, M.A. Webster, C.H. Williams, E.W. Williams, R.LI. Williams

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Development Control Manager, Team Leader (Major Applications), Senior Support Officer (G. Butler) Admin Officer (Judith Williams) and Sandra Williams (Translator)

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors. D. Jones and D.A.J. Thomas

30 APPOINTMENT OF CHAIR

Councillor Selwyn Thomas was elected Chair for the ensuing year.

31 APPOINTMENT OF VICE CHAIR

Councillor Lloyd Williams was elected Vice Chair for the ensuing year.

32 URGENT MATTERS

CHANGE OF MEMBERSHIP

Legal Services Manager announced that with immediate effect, Councillors M.LI. Davies and Councillor G. Kensler would replace Councillors M. Jones and N. Hughes on Planning Committee.

33 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

DC Manager reminded the committee that as business was not concluded at the meeting on April 20th that the first part of this meeting would be made up of the 11 items previously undetermined.

It was expected that the meeting would continue into the afternoon, and a lunch would be provided.

(i) Consents

Application No.

Description

01/2005/0125/PF

Alterations to existing roof structure to form mansard roof for means of escape in case of fire and replacement of existing defective window frames.

Regency 21 Bridge Street Denbigh

Additional Condition 2 and Amended Conditions 5 & 6

2. "Access onto the flat roof area shall only be permitted for emergency purposes and for no other purpose without the further written consent of the Local Planning Authority,

5. "and painted black; soffits and fascias shall be timber painted black" delete – ")"

6. Add "and only those window cills approved shall be used".

21/2005/0131/PC	Retention of Storage shed (retrospective application) The Playing Field adjoining 5 Rock View Village Road Maeshafn Mold Subject to Amended Condition 3. The shelter shall only be used for the storage of equipment that is used in connection with the use and maintenance of the playing field and for no other purpose.
23/2004/1451/PF	Erection of steel portal-framed livestock/fodder and implement building Glan Aber Farm Llanrheadr Denbigh
45/2004/1468/PF	Change of use from residential to day centre/training centre and residential flatlet 5 Abbey Street Rhyl
45/2005/0060/PS	Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof . Variation of Consideration No. 1 on planning permission Ref. No. 4370 to allow caravan park to open between 28 th February and 14 th January in any one year Mountain View Caravan Park 423-425 Rhyl Coast Road, Rhyl Subject to Additional Condition and Note to Applicant 2. No parking, loading, or unloading shall take place on the forecourt of the premises in relation to the use hereby permitted. REASON: In the interests of highway safety. Note to Applicant Your attention is drawn to the following Highway Notes: 1, 3, 4, 5 and 10 (Councillor T.R. Hughes voted against the grant of planning permission).
45/2005/0115/PF	Change of use from retail (Class A1) to youth training centre and community offices 69/71 Wellington Road & 1 Elwy Street Rhyl
45/2005/0122/PF	Following consideration of 1 additional letter of representation from: Rhyl Town Council 77 Dyserth Road Rhyl Erection of a three storey extension at front of nursing home (amended from previously approved scheme Ref 45/474/99/PF)
01/2005/0332/PS	Public Speaker For: Terry Hughes Following consideration of 1 additional letter of representation from: D Watkin Jones Maes y Parc Denbigh Amendments to Condition 10 and 11 imposed on planning permission for: A) Conversion of former Carriage Yard buildings, Lleweni, to 11 residential units (Code No. 01/2001/0603/PF), and B) Conversion of former Barns and Stables, Lleweni, to 5 residential units (Code No. 01/2000/0993/PF) relating to proposed access arrangements, involving the construction of a new access track direct from Mold Road through Gliding Field Carriage Yard, Stables And Barns At Lleweni Mold Road Denbigh
02/2005/0250/AD	Following consideration of 1 additional letter of representation from: Llanynys Community Council. Display of 2 no. signs (retrospective) Ruthin Precast Concrete Ltd Quarryfields Rhewl Ruthin

- 03/2004/1592/PF
Public Speaker For: Kenneth Forman
 Amended details of scheme of conversion of outbuildings to 2 dwelling units, previously approved under code no. 03/2002/0337/PF, to create single dwelling unit, and installation of new septic tank
The Coach House & Stables Plas Berwyn Llangollen
- 03/2004/1593/LB
 Amended details of scheme of conversion of outbuildings, to create single dwelling (Listed Building Application)
The Coach House & Stables Plas Berwyn Llangollen
 Subject to Amended Conditions
 6. "and work shall be carried out in accordance with the approved details".
 8. Add "only the approved details shall be used".
- 06/2004/0505/PF
 Following consideration of 3 additional letters of representation from: Welsh Water; H Evans & M Ll. Owen, Pennant Gwyddelwern Demolition of existing outbuilding, erection of 2 no. dwellings and alterations to existing pedestrian access and creation of new vehicular access to each property (resubmission of previously refused application under code no. 06/2003/0855/PF)
Grove House Gwyddelwern Corwen
 Subject to Additional Note to Applicant
 You are requested to investigate with Welsh Water as to a problem with the foul drainage in the immediate vicinity of the application site. The localised problem should be resolved before any further connection is made to the public sewer.
- 15/2005/0143/PC
Public Speaker Against: Glenys Roberts (Community Council)
 Retention of static caravan on eastern boundary of O.S. Field No. 967
Eryrys Caravan Park Bryn Awelon Eryrys Mold
- 17/2005/0410/PS
Public Speaker Against: Robert Hargreaves
 Following consideration of 4 additional letters of representation from: Head of Transport and Infrastructure; B Hargreaves and J Williams, Bryn Eithin Bwlchgwyn, S Morris, Hafod Farm, Mountain Rd Minera Variation of Condition 8(g) of planning permission for Mountain Bike Centre, to provide for a combination of signage and entrance road construction detail to discourage access along Old Roman Road from B5430, in preference to Road Traffic Order
Coed Llandegla Wrexham
 Subject to Amended Conditions
 1. a) Delete "signage and"; and amend "access track have" to "access track has".
 Change "b)" to "c)" and insert the following;
 b) The written approval of the Local Planning Authority has been obtained to the precise content, type, and location of all the proposed traffic signs to be erected; and the signs have been erected,
 2. Amend all references to "2007" to read "2006"
- 21/2005/0344/PF
Public Speaker For: D Clough
 Following consideration of 10 additional letters of representation from: CADW; Welsh Mines Preservation Trust; AONB JAC; County Ecologist; County Archaeologist; County Landscape Architect; Welsh Historic Gardens Trust; Welsh Water; Health and Housing Manager; AP King, Bryn Sirion, Maeshafn.
 Erection of environment centre adjacent to lake, 6 new single storey buildings within Coed Y Fedw to incorporate parts of demolished

structures on site, erection of lookout platform and boardwalk within Coed Y Fedw, external alterations/refurbishment to buildings at upper centre, works/extension to Listed Building to be used in conjunction with outdoor centre, change to access road to proposed environment centre and paths within Coed Y Fedw, erection of plant room and other associated works

**Colomendy Centre For Outdoor Education Ruthin Road,
Loggerheads Llanferres Mold**

Resolved to GRANT but subject to further discussions with the applicants (and local Member) as to details of Environment Centre, look out platform, and boardwalk linking the climbing centre.

Additional Conditions to be imposed relating to:

10. Protected Species
11. Protected Fauna

21/2005/0345/LB

Speaker For: D Clough

Removal of existing modern extension, external restoration, renovation of adjacent farm buildings, reinstatement of walled garden at Tyn Y Fedw and alterations to curtilage buildings in the upper centre (Listed Building application)

**Colomendy Centre For Outdoor Education Ruthin Road,
Loggerheads Llanferres Mold**

Subject to Amended Conditions

2. Specify limestone

9. "Notwithstanding the permitted details, no external wall etc."

Request Conservation Architect to consider the issue of whether we can insist on hardwood oak windows as requested by JAC.

This decision is subject to referral to CADW and their raising no objection.

41/2004/0395/PF

Public Speaker Against: Gwladys Edwards (Bodfari CC)

Following consideration of 4 additional letters of representation from: Bodari Community Council; Transport and Infrastructure; A J Shepard, Old School Bodfari; Mr and MRs Wyer, 9 Banc y Chwarel, Bodfari

Erection of 9 No. dwellings and construction of new vehicular access and footpath link to adjoining play area

**Former Bridge Garage, Land adjoining Banc Y Chwarel Bodfari
Denbigh**

Subject to Section 106

The recommendation is subject to:

- i) The completion of a Section 106 obligation within 12 months of the date of the Planning Committee meeting, requiring
 - a) Provision of 3 affordable housing units (units 7-9 inclusive)
 - b) Commuted sum provision of £20,000 for the provision of off-site open space/recreation improvements
 - c) Commuted sum for maintenance of off site provision of £10,000

On failure to complete the Section 106 Obligation, in the period stated, the application will be reported back to the Planning Committee for determination in relation to the relevant planning policies and guidance at that time.

Amended Conditions

3. "roofs"

7. None of the dwellings hereby approved shall be occupied until the roads and pavements have been constructed to base coat level and the footpath links to the play area have been completed to adoption standard"

8. Delete "/footpath link"

(Councillor Lloyd Williams abstained from voting)

- 43/2004/1574/PF
Erection of single storey lean-to detached garage to side of dwellinghouse and formation of new vehicular access and turning area
Clearmont Meadows Lane Prestatyn
- 43/2004/1596/PF
Demolition of existing dwelling and erection of replacement dwelling
South Winds Bryniau Dyserth Rhyll
Subject to New Note to Applicant
The existing septic tank/sewage treatment plant and ancillary soakaway system must conform to BS 6297: 1973 and no part is to be sited within 10m of any watercourse.
The septic tank/sewage treatment plant must not affect any potable water sources such as private wells, etc.
The development must ensure that the existing septic tanks and soakaway system can adequately accommodate the likely increase in foul water flows
- 44/2003/1477/PC
Retention of and continuation of use of building for storage and repair of motor rally cars
Outbuildings at Four Winds Farm, Ffordd Ffynnon Prestatyn
Subject to New Note to Applicant
You are advised that a public bridleway/footpath runs adjacent to the application site and to your property at Four Winds Farm. This public bridleway/footpath should not be obstructed at any time.
- 45/2005/0277/PF
Public Speaker Against: Mrs Doreen Khalil Public Speaker For: D Jackson
Change of use from single dwelling to guesthouse
38 Marine Drive Rhyll
(Councillor R E Barton wished it to be noted that he abstained from voting).
- 45/2005/0320/PF
Erection of porch, single storey front extension to garage and first floor side extension
78 Rhuddlan Road Rhyll
Subject to Amended Condition
3. Development shall not begin until details of an improved access between the proposed dwelling and the highway and provision of a turning area between the dwelling and the highway have been submitted to and approved in writing by the Local Planning Authority; and the extension shall not be brought into use until the access and turning area have been completed in accordance with the plans hereby approved.

Refusals

- 45/2004/1160/PF
Public Speaker For: R A Sailsbury
Councillor M.A. Webster and H. Jones declared an interest in the following application and left the Chamber during consideration thereof.
Following consideration of 1 additional letter of representation from:
Transport and Infrastructure
Erection of 18 No. dwellings and construction of new vehicular/pedestrian access
Land in Brookdale Road Rhyll
Subject to the following:
Delete reason 1

Refuse Against Officers' Recommendation

18/2004/1185/PO

Development of land for residential purposes and alterations to existing vehicular access (outline application)

Land at rear 1-4 Brondyffryn Terrace Llandyrnog Denbigh

REFUSE for the following reason:

1. The proposal would lead to increase use of an access point onto a classified road that has poor visibility and limited width. Its increased use would result in additional highway dangers and inconvenience for highway users. The proposal would also result in the loss of area currently used for the parking of cars by local residents, particularly of Brondyffryn Terrace. As a result additional on street parking would be likely to take place in the locality to the detriment of the safety and convenience of highway users and causing a loss of residential amenity to those residents who currently have the benefit of off street car parking. The proposal would therefore be contrary to criteria (vi) and (vii) of Policy GEN 6, Policy TRA 6, and Policy TRA 9 of the Denbighshire Unitary Development Plan.

The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:

Access

Loss of parking

Withdrawn

10/2005/0251/PC

Following consideration of 2 additional letters of representation from: Applicant Agent (withdrawing application) and Bryn Eglwys Community Council

change of use of agricultural land for use as storage and distribution depot in connection with road surfacing contractor including permanent placing of steel containers, plant and ancillary equipment (retrospective application)

Rhoslydan Bryneglwys Corwen

Withdrawn by applicant

The Committee also resolved to take enforcement action against the unauthorised use but to hold any action in abeyance for 2 months pending submission of revised application.

(Councillors T.R. Hughes, H.H. Evans and G.C. Evans wished it be noted that they abstained from voting on enforcement action)

47/2005/0350/PF

Erection of 1 No. dwelling

Bryn Clwyd Holywell Road St. Asaph

Withdrawn by the applicant

Deferred for the Reason Given

15/2004/1535/PF

Erection of agricultural worker's dwelling

Land at Mountain Hall Farm School Lane Llanarmon yn Ial Mold

Defer – information required from applicant and further assessment of ADAS report required

05/2005/1684/PF

Erection of detached dwelling with integral garage and alterations to existing vehicular access

Land Adjacent to Bryn Tawel Penybryn Corwen

Defer – awaiting revised plans

24/2005/0188/PF

Following consideration of 1 additional letter of representation from: Applicant's Agent (withdrawing application)

Conversion of 2 no. outbuildings to 2 no. dwellings and installation of 2 no. new septic tanks

Outbuildings at Berth Farm Rhewl Ruthin

DEFERRED by officers to seek information from applicant as to extent of land under their control and possibility of alternative access routes to the site.

42/2004/0102/PF

Following consideration of 1 additional letters of representation from: Housing Strategy Officer

Erection of 44 no. dwellings, construction of new vehicular access, car parking, open space area and landscaping

Plas Newydd Estate Land off Ffordd Pantycelyn Prestatyn

DEFERRED pending confirmation of acquisition of alternative site for primary school. Report back to next Planning Committee including reference to Asset Management Committee on 10th June 2005.

44/2004/1328/AC

Details of boundary treatment and hard and soft landscaping submitted in accordance with condition numbers 6 and 10 of planning permission no. 44/2003/0006/PF (partly retrospective)

Plots 1-20 inc. Tir Morfa Site Meliden Road Rhuddlan Rhyl

DEFERRED to allow assessment of amended plans

Committed resolved to take enforcement action but hold in abeyance for 2 months pending resolution of application

It being 12.35 pm, the meeting was suspended for lunch at this juncture; to be reconvened at 1.00 pm

RECONVENED PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, 25th May 2005 at 1.00 pm.

PRESENT

Councillors. S. Thomas (Chair) J.R. Bartley, R.E. Barton, J. Butterfield, J. Chamberlain-Jones, M.LI. Davies, S.A. Davies, G.C. Evans, H.H. Evans S. Frobisher, I.M. German, M.A. German, D. Hannam, K.N. Hawkins, T.K. Hodgson, T.R. Hughes, E.R. Jones, G.M. Kensler, P.W. Owen, N.P. Roberts, J. Thompson-Hill, M.A. Webster, C.H. Williams, E.W. Williams, R.LI. Williams

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Development Control Manager, Team Leader (Major Applications), Senior Support Officer (G. Butler) Admin Officer (Judith Williams) and Sandra Williams (Translator)

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors. D. Jones, H H Jones and D.A.J. Thomas

34 ENFORCEMENT MATTERS

(I) ENF/20010/007

Ty Isoe, Maes Maelor Lladegla

Change of use of forestry land to the mixed use of the land for forestry, storage of motor vehicles and the siting of a caravan for residential purposes.

Submitted report by Head of Planning and Public Protection

Head of Planning and Protection explained the background to this case and displayed photographs of the site. It was explained that the Environment Agency is presently prosecuting the owner, Mr Lowe in the Crown Court.

After some discussion it was:-

RESOLVED that the result of the court case be awaited and that this matter be reported back to committee in July.

(ii) **ENF/2005/0014**

22, Caer Odyn, Eryrys

Erection of a fence exceeding 1 metre in height adjacent to highway and change of use of land to form extension to residential curtilage.

Submitted Report by Head of Planning and Public Protection together with an additional layout plan (circulated)

RESOLVED that authorisation be given for the following:

- (i) *Serve an Enforcement Notice to secure the removal of the fence and for the use of the land as garden area to stop.*
- (ii) *instigate prosecution proceedings, or other appropriate action under the Planning Act, against any person, or persons, upon whom any Enforcement Notice, or other Notice is served, or against whom legal action is taken should they fail to comply with the requirements of the Enforcement Notice.*

(Councillor R.E. Barton wished it to be noted he voted against taking Enforcement Action)

35 STREET NAMING IN LLANFERRES

Submitted – report by Head of Planning and Public Protection requesting consideration of a request to provide street name signs to two roads in Llanferres.

RESOLVED that the historical names for both roads be retained and that road name plates should not be erected.

36 COMMITTEE PROCEDURES

Submitted report by Head of Planning and Public Protection to confirm the details of revisions to Planning Committee procedures following approval of the changes at Full Council on 12th April 2005.

RESOLVED that (i) the detailed wording of the Delegated Scheme, Guidelines for Site Inspection Panels, and the Code of Best Practice as set out in **Appendices A, B and C** are agreed by Members for implementation forthwith and (iii) ADAS reports are no longer included as a Part II item on the agenda.

37 TWEEDMILL APPEAL

Submitted: Report by Head of Planning and Public Protection advising Members of the recent appeal decision relating to Tweedmill St Asaph and summarising the Inspector's findings.

RESOLVED that this report be received for information.

38 DATE OF SITE VISIT

There being no site visits, this item was withdrawn.

39 LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS

The Head of Planning and Public Protection Services submitted his written report (previously circulated) of applications for Planning Permission determined by him under delegated authority between 1st April and 30th April 2005.

RESOLVED that the report be received.

PART II ITEM

- 40** ADAS Report relating to Application 15/2004/1535/PF Mountain Hall Farm, Llanarmon yn Ial, Mold
As the planning application was deferred, this item was not discussed.

The meeting closed at 1.55 pm.
